

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PATRICK OBAH,

Plaintiff,

-against-

DEPARTMENT OF EDUCATION,

Defendant.

24-CV-7203 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. By order dated October 25, 2024, the Court dismissed the complaint, but granted Plaintiff 30 days' leave to replead his claims in an amended complaint. (ECF 5.) On January 6, 2025, the Court received from Plaintiff a letting asking the Court to "reopen and reconsider" his case. (ECF 7, at 1.) In the letter, Plaintiff alleges that he was unable to file an amended complaint within the prescribed time because he was deployed by the Federal Emergency Management Agency to assist with natural disaster relief.

Because judgment has not been entered, this action remains open. In light of Plaintiff's deployment and his *pro se* status, the Court grants him an additional 30 days to comply with its October 25, 2024 order. Plaintiff is directed to file an amended complaint within 30 days of the date of this order. If Plaintiff does not file an amended complaint within the time allowed, the Court will direct the Clerk of Court to enter judgment dismissing this action for the reasons stated in its October 25, 2024 order.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an

appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: January 8, 2025  
New York, New York

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
Chief United States District Judge